

REMARKS

Claims 1, 2, 4, and 6-21 are pending. Applicant has amended claim 1 to correct a minor typographical error and canceled claims 22-34.

The Office rejects claims 1, 2, 4, and 6-21 under 35 U.S.C. § 102(e) as being anticipated by Calabria. Applicant respectfully traverses the rejection of these claims.

Applicant's technology provides a computer system that allows an advertiser to generate advertisement sets automatically, to calculate bid amounts based on profitability or some other financial measure, and then to select which advertisement sets are to be submitted to an advertisement placement service (e.g., a search engine service). Some advertisement placement services allow each advertiser to submit only one advertisement set per keyword. Thus, an advertiser would not be able to submit an advertisement set with the keyword "Harry Potter" to advertise a certain book and another advertisement set with the keyword "Harry Potter" to advertise a certain DVD. Applicant's technology selects an advertisement set from multiple conflicting advertisement sets that share the same keyword based, in part, on past successes of the advertisements. After selecting an advertisement set, applicant's technology submits the advertisement set to an advertisement placement service.

Claims 1-2, 4, and 6-8 recite "an advertisement manager" that "selects advertisement sets for which no conflicting advertisement set is currently submitted." Claims 9-21 recite "selecting advertisement sets for submission to an advertisement placement service such that a selected advertisement set does not conflict with a currently submitted advertisement set." Since different advertisement sets with the same keyword may be automatically generated by different advertisement generators, a conflict may occur if two advertisement sets were submitted to such an advertisement placement service. These claims are directed to a technique to avoid the conflict. After an advertisement set is selected that does not conflict, applicant's technique submits or sends

"to an advertisement placement service the advertisement[s] ... of the [selected] advertisement set[s]" as recited by these claims.

The Calabria reference describes a keyword advertisement management system 14 with a "keyword selection agent 52 [that] includes an algorithm for selection of keywords," an "advertisement selection agent 54 [that] includes an algorithm for selection of an advertisement," and an "ROAI agent 56 [that] includes an algorithm that provides an estimate of return on investment." (Calabria, ¶0052.) Applicant can find nothing in Calabria to teach or suggest anything related to conflicting advertisement sets with the same keyword or related to selecting for submission advertisement sets that do not conflict with a currently submitted advertisement set. As such, applicant respectfully submits that the pending claims are patentable.

Based upon these amendment and remarks, applicant respectfully requests reconsideration of this application and its early allowance. If the Examiner has any questions or believes a telephone conference would expedite prosecution of this application, the Examiner is encouraged to call the undersigned at (206) 359-8548.

Dated: 1/31/08

Respectfully submitted,

By Maurice J. Pirio
Maurice J. Pirio

Registration No.: 33,273
PERKINS COIE LLP
P.O. Box 1247
Seattle, Washington 98111-1247
(206) 359-8000
(206) 359-7198 (Fax)
Attorney for Applicant